

Listing of the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently amended) An isolated DNA sequence comprising a functional human IL-18BP promoter sequence comprising a nucleotide sequence of ~~which is~~ SEQ ID NO:1, ~~said isolated DNA sequence~~ operably linked at the 3' end ~~of the promoter sequence~~ to SEQ ID NO: 5.
2. (Currently amended) An isolated DNA sequence comprising a functional human IL-18BP promoter ~~fragment or derivative~~ comprising a nucleotide sequence of SEQ ID NO:1 ~~wherein the promoter fragment or derivative comprises human IL-18BP activity and also comprises SEQ ID NO: 3~~ operably linked at the 3' end to the 5' end of SEQ ID NO: 5, and wherein the promoter ~~fragment or derivative~~ is mutated at one or more AP1 sites present in the silencer element present in ~~[[the]]~~ SEQ ID NO: ~~[[3]]~~ 1.
- 3-4. (Cancelled)
5. (Previously presented) The isolated DNA sequence according to claim 1, operably linked to an intron.
6. (Previously presented) The isolated DNA sequence according to claim 5, wherein the intron consists of the first intron of IL-18BP.
7. (Previously presented) The isolated DNA sequence according to claim 1, further containing a gene operatively linked to the isolated DNA sequence.
8. (Previously presented) The isolated DNA sequence according to claim 7, wherein the gene encodes IL-18BP.
9. (Previously presented) The isolated DNA sequence according to claim 7, wherein the gene encodes a heterologous protein.
10. (Currently amended) The isolated DNA sequence according to claim 9, wherein the heterologous gene protein is ~~encodes~~ a luciferase gene protein.
11. (Previously presented) The isolated DNA sequence according to claim 9, wherein the heterologous gene encodes a protein selected from an interferon-beta, a TNF, an erythropoietin, a tissue plasminogen activator, a granulocyte colony stimulating factor, a manganese-superoxide 41 dismutase, an immunoglobulin, or a fragment thereof, a growth hormone, an FSH, an hCG, an IL-18, an hsLDLR and a TNF receptor binding proteins.
12. (Previously presented) A vector comprising the DNA sequence according to claim 1.

13. (Previously presented) An isolated host cell comprising the vector according to claim 12.
14. (Currently amended) The isolated host cell according to claim 13, which is being a mammalian cell.
15. (Previously presented) The isolated host cell according to claim 14, selected from the group consisting of CHO, WISH, HepG2, Cos, CV- 1, HeLA, and Hakat U937 cells.
16. (Cancelled)
17. (Currently amended) A recombinant virus vector which comprises a portion of the virus genomic nucleic acid, a DNA fragment encoding a gene of interest and a DNA fragment comprising the DNA sequence ~~encoding the human IL-18BP promoter~~ according to claim 1, operably linked to the gene of interest.
18. (Currently amended) [[A]] The recombinant virus vector according to claim 17, wherein the gene of interest encodes a protein [[is]] selected from an interferon-beta, a TNF, an erythropoietin, a tissue plasminogen activator, a granulocyte colony stimulating factor, a manganese-superoxide dismutase, an immunoglobulin, or a fragment thereof, a growth hormone, an FSH, an hCG, an IL-18, an hsLDLR and a TNF receptor binding proteins.
19. (Currently amended) [[A]] The recombinant virus vector according to claim 17, wherein the virus is an adeno-associated virus.
- 20-33. (Cancelled)
34. (Currently amended) A pharmaceutical composition comprising the isolated DNA sequence of claim 1 ~~a DNA sequence comprising the human IL-18BP functional promoter which is SEQ ID NO: 1, wherein the 3' end of said isolated DNA sequence comprises at the 3' end nucleotides one to 51 of the 5' end of SEQ ID NO: 5.~~
35. (Cancelled)
36. (Previously presented) The isolated DNA sequence according to claim 2, further comprising an intron.
37. (Previously presented) The isolated DNA sequence according to claim 36, wherein the intron consists of the first intron of IL-18BP.
38. (Previously presented) The isolated DNA sequence according to claim 2, further containing a gene operatively linked to the IL- I 8BP promoter.

39. (Previously presented) The isolated DNA sequence according to claim 38, wherein the gene encodes IL-18BP.
40. (Previously presented) The isolated DNA sequence according to claim 38, wherein the gene encodes a heterologous protein.
41. (Currently amended) The isolated DNA sequence according to claim 40, wherein the heterologous ~~gene~~ protein is ~~encodes~~ a luciferase ~~gene~~ protein.
42. (Previously presented) The isolated DNA sequence according to claim 40, wherein the heterologous gene encodes a protein selected from an interferon-beta, a TNF, an erythropoietin, a tissue plasminogen activator, a granulocyte colony stimulating factor, a manganese-superoxide 41 dismutase, an immunoglobulin, or a fragment thereof, a growth hormone, an FSH, an hCG, an IL-18, an hsLDLR and a TNF receptor binding proteins.
43. (Currently amended) [[A]] The vector comprising the DNA sequence according to claim 2.
44. (Currently amended) [[An]] The isolated host cell comprising a vector according to claim 43.
45. (Currently amended) [[An]] The isolated host cell according to claim 44, which is ~~being~~ a mammalian cell.
46. (Currently amended) [[An]] The isolated host cell according to claim 45, selected from the group consisting of CHO, WISH, HepG2, Cos, CV- 1, HeLA, and Hakat U937 cells.
47. (Currently amended) A recombinant virus vector which comprises a portion of the virus genomic nucleic acid, a DNA fragment encoding a gene of interest and a DNA fragment comprising the DNA sequence ~~encoding the human IL-18BP promoter~~ according to claim 2, operably linked to the gene of interest.
48. (Currently amended) [[A]] The recombinant virus vector according to claim 47, wherein the gene of interest encodes a protein [[is]] selected from an interferon-beta, a TNF, an erythropoietin, a tissue plasminogen activator, a granulocyte colony stimulating factor, a manganese-superoxide dismutase, an immunoglobulin, or a fragment thereof, a growth hormone, an FSH, an hCG, an IL-18, an hsLDLR and a TNF receptor binding proteins.
49. (Currently amended) [[A]] The recombinant virus vector according to claim 47, wherein the virus is an adeno-associated virus.
50. (Currently amended) A pharmaceutical composition comprising the isolated DNA sequence of claim 2 ~~an isolated DNA sequence comprising a functional human IL-18BP promoter which is~~

U.S.S.N. 10/530,963

Responsive to Office Action mailed March 16, 2010

Advisory Action mailed September 2, 2010

Second Amendment under 37 CFR 1.116 filed September 9, 2010

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~~SEQ ID NO: 1, or a fragment or a derivative thereof wherein the fragment or the derivative thereof comprises functional human IL-18BP activity and comprises SEQ ID NO: 3, and wherein the 3' end of said DNA sequence or fragment thereof is operatively linked to the 5' end of SEQ ID NO: 5, and wherein the derivative is mutated at one or more AP1 sites present in the silencer element present in the SEQ ID NO: 3.~~